

**Federal Defenders  
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June 26, 2020

**Via ECF**

The Honorable Lorna G. Schofield  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

**Re: *United States v. Frederick Scheinin*, 20 CR 133 (LGS)**

Dear Judge Schofield:

With the consent of the Government, I write to request an extension of the current schedules for: (i) the production of discovery, (ii) the filing of pretrial motions, and (iii) the initial status conference. The conditions of the ongoing national emergency have delayed both the production and review of discovery in this matter. This has further hindered Mr. Scheinin's ability to meaningfully consult with counsel about any pretrial motions and to engage in necessary mitigation services.

Mr. Scheinin is currently out on bail, subject to a number of conditions including a prohibition on possession of internet-capable devices and access to the internet. The bail conditions and the terms of the protective order require Mr. Scheinin's review of the discovery to take place in the presence of counsel. In order to review the discovery, Mr. Scheinin has to obtain permission from his Pretrial Services officer to travel to the Federal Defender offices.

The initial production of discovery in this case was made available on February 28, 2020. The production is relatively voluminous and consists of video recordings, text chats, photographs, various warrant and subpoena returns, and law enforcement reports. Mr. Scheinin was able to schedule one meeting to begin discovery review before our offices were closed in mid-March due to the pandemic.

The Government is preparing a second production of discovery, consisting of information obtained from several devices seized from Mr. Scheinin's home. That process has also been delayed by the pandemic.

In addition to the discovery-related delays, Mr. Scheinin has been unable to participate in mitigation services. Prior to the office shutdown he was working with a social work student in our office. That engagement ended in March. Mr. Scheinin needs to engage in therapy and meet with psychiatric experts. Given the serious charges in this case, mitigation is crucial to Mr. Scheinin's ability to present a defense or meaningfully discuss a pretrial disposition.

In light of the unique circumstances presented by COVID-19, and the particular obstacles it has created in this case, I respectfully request an extension of the current schedules. Thank you for your consideration of this application.

Respectfully submitted,



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Cc: AUSA Nicholas Chiuchiolo (via ECF)